

HOUSE No. 1094

By Mrs. Paulsen of Belmont, petition of Anne M. Paulsen and others for legislation to establish an education professional standards board within the Department of Education. Education.

The Commonwealth of Massachusetts

PETITION OF:

Anne M. Paulsen	John P. Fresolo
Kay Khan	Robert K. Coughlin
Benjamin Swan	Mary E. Grant
Christine E. Canavan	John W. Scibak
Brian A. Joyce	Marc R. Pacheco
Frank I. Smizik	Mark V. Falzone
Stephen M. Brewer	

In the Year Two Thousand and Five.

AN ACT ESTABLISHING THE MASSACHUSETTS EDUCATION PROFESSIONAL STANDARDS BOARD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 15 of the Massachusetts General Laws is
2 hereby amended by adding the following new sections at the end
3 thereof:—
4 Section 66. There shall be in the department of education, but
5 in no respect subject to the jurisdiction thereof, a board of edu-
6 cator preparation and licensing, to be called the Massachusetts
7 Education Professional Standards Board. The Board shall have
8 the authority to establish standards and procedures for the prepa-
9 ration, provisional and permanent licensure, recertification,
10 renewal and revocation of licensure of education personnel in reg-
11 ular education, special education, occupational education, voca-
12 tional education, bilingual education and administration. This
13 authority shall include the review and approval of programs at
14 public and independent colleges and universities devoted to the

15 preparation of teachers and other educational personnel. To carry
16 out these responsibilities, the Board shall have the authority to
17 make, amend, and rescind such rules and regulations as may be
18 necessary to carry out the provisions of this section.

19 Section 66A. The Massachusetts Education Professional Stan-
20 dards Board shall consist of fifteen voting members who shall be
21 residents of the Commonwealth, as follows:

22 (1) Eight persons currently employed as public school class-
23 room teachers or within the previous five years, six of whom shall
24 be appointed by the Governor from a list of no fewer than twelve
25 submitted by the Massachusetts Teachers Association and two of
26 whom shall be appointed by the Governor from a list of no fewer
27 than four submitted by the Massachusetts Federation of Teachers;
28 of the eight appointments, at least one member shall be appointed
29 with experience or expertise in the following areas: early child-
30 hood; special education; and, occupational or vocational educa-
31 tion.

32 (2) Two persons employed as faculty of institutions of higher
33 education in Massachusetts, whose duties involve direct contact
34 with students preparing for teaching, appointed by the Governor
35 from a list of no fewer than four submitted by the Massachusetts
36 Association of Colleges of Teacher Education.

37 (3) Two persons employed as public school administrators, one
38 of whom shall be appointed by the Governor from a list of no
39 fewer than two submitted by the Massachusetts Association of
40 Elementary School Principals and one of whom shall be appointed
41 by the Governor from a list of no fewer than two submitted by the
42 Massachusetts Association of Secondary School Principals.

43 (4) One superintendent of schools, appointed by the Governor
44 from a list of no fewer than two, submitted by the Massachusetts
45 Association of School Superintendents.

46 (5) One school committee member, appointed by the Governor
47 from a list of no fewer than two submitted by the Massachusetts
48 Association of School Committees.

49 (6) One representative of the general public appointed by the
50 Governor, who shall not be a member of, or employed by, a school
51 committee or board of trustees of an institution of higher educa-
52 tion.

53 The commissioner of education and the chancellor of higher
54 education, or their designees, shall serve as ex-officio participants
55 without vote in the proceedings of the board.

56 Except for the members appointed as representatives of the
57 general public and school committees, members shall have been
58 employed as teachers, administrators or faculty for a period of at
59 least seven years prior to appointment to the board.

60 Five of the initial appointments shall serve for a term of five
61 years, four of the initial appointments shall serve for a term of
62 four years, three of the initial appointments shall serve for a term
63 of three years, two of the initial appointments shall serve for a
64 term of two years, and one of the initial appointments shall serve
65 for a term of one year. Thereafter, all terms shall be for a period
66 of five years. No members shall serve for more than two terms.
67 Service on the board for a term of three years or more resulting
68 from an initial appointment or an appointment for the remainder
69 of an unexpired term shall be counted as a full term.

70 All members of the board shall serve without compensation but
71 shall be reimbursed for their necessary expenses actually incurred
72 in the performance of their duties.

73 The Massachusetts Education Professional Standards Board
74 shall, by a majority vote of all its voting members, elect a chair-
75 person and vice-chairperson annually from among its member-
76 ship.

77 The board shall hold regular meetings at least once each month
78 except that the board may vote to omit meetings in July and
79 August and the chairperson may call additional meetings at other
80 times. The chairperson may call a special meeting of the board at
81 any time and shall call a special meeting upon the written request
82 of seven or more members of the board.

83 The board shall appoint an executive director, who shall serve
84 at the pleasure of the board. The executive director shall receive
85 an annual salary equivalent to that of an associate commissioner
86 of education and such expenses as are approved by the board and
87 which are incurrent in the discharge of his or her duties. The
88 board may delegate its authority or any portion thereof to the
89 executive director whenever in its judgment such delegation may
90 be necessary or desirable. The executive director shall exercise
91 any such powers or duties delegated with the full authority of the

92 board in any matter concerning educator preparation and licensing
93 subject to the direction and approval of the board.

94 The board shall be provided with adequate offices and shall
95 appoint such other employees, to include but not be limited to a
96 general counsel, as it deems necessary to carry out its duties and
97 responsibilities. The board shall also establish the salaries of said
98 employees as indicated in the salary schedules approved by the
99 house and senate committees on ways and means.

1 SECTION 2. Section 38G of Section 71 of the Massachusetts
2 General Laws, as appearing in the 2000 Official Edition, is hereby
3 amended by striking the second paragraph and inserting in place
4 thereof the following:-

5 “Board,” the Massachusetts Education Professional Standards
6 Board established by chapter fifteen, section 66.

1 SECTION 3. Section 38G of Chapter 71 is hereby further
2 amended by striking out the word “commissioner,” the words
3 “department of education,” and the word “department,” wherever
4 they appear and inserting in place thereof the word, “board.”

1 SECTION 4. Paragraph 31 of section 38G of Chapter 71 is
2 hereby amended by adding at the end thereof the following sen-
3 tence:— Said fees shall go directly into a special account within
4 the Treasurer’s office and shall be available without appropriation
5 to the board to carry out the purposes of this section and
6 Chapter 15, sections 66 and 66A.